

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

13-M-1077

DAVID KELLNER,

Defendant.

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MISDEMEANOR  
INFORMATION

COUNT 1

(Title 29 U.S.C. §439(b))

**The United States Attorney Charges That:**

1. At all times material to this Information, Transport Workers Local 2020 was a labor organization engaged in an industry affecting commerce and subject to the Labor Management Reporting and Disclosure Act of 1959, 29 U.S.C. § 401, et seq.
  
2. That on or about April 21, 2009, in the Western District of New York, the defendant, DAVID KELLNER did knowingly fail to disclose a material fact, namely, that defendant embezzled and converted union money to his own use, in a report and document required to be filed by Transport Workers Local 2020 with the Secretary of Labor pursuant to Section 431 of Title 29, United States Code, that is, the annual financial report form LM3 for the union's fiscal year ending on December 31, 2008.



All in violation of Title 29, United States Code, Section 439(b).

DATED: Buffalo, New York, September 12, 2013.

WILLIAM J. HOCHUL, JR.  
United States Attorney

BY:

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